

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SIMIN KARIMIAN, Individually and on behalf :
of all others similarly situated,
Plaintiff, :
vs. : Case No. 1:18-cv-07410-LDH-SMG
ALKERMES PUBLIC LIMITED COMPANY, :
RICHARD F. POPS, and JAMES M. FRATES, :
Defendants. :
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BONNIE MCDERMOTT, Individually and on :
behalf of all others similarly situated,
Plaintiff, :
vs. : Case No. 1:19-cv-00624-LDH-SMG
ALKERMES PUBLIC LIMITED COMPANY, :
RICHARD F. POPS, and JAMES M. FRATES, :
Defendants. :
:
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**NOTICE THAT THE MOTION OF MIDWEST OPERATING ENGINEERS PENSION
TRUST FUND FOR APPOINTMENT AS LEAD PLAINTIFF, APPOINTMENT OF LEAD
COUNSEL, AND CONSOLIDATION OF RELATED ACTIONS IS UNOPPOSED**

Midwest Operating Engineers Pension Trust Fund (“Midwest Operating Engineers” or “Movant”) has timely filed a motion, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), at 15 U.S.C. § 78u-4, for entry of an Order: (i) appointing Midwest Operating Engineers as Lead Plaintiff; (ii) appointing the law firm of Cohen Milstein Sellers & Toll PLLC (“Cohen Milstein”) to serve as Lead Counsel; and (iii) consolidating the above-captioned related actions. Dkt. No. 7.

Midwest Operating Engineers is the presumptive lead plaintiff under the PSLRA because

it is the movant with the largest financial interest, \$2,276,205 (Dkt. No. 11-3), and it is also adequate and typical under Rule 23 of the Federal Rules of Civil Procedure (*see generally* Dkt. No. 9). All other movants for lead plaintiff have since filed notices of withdrawal or of non-opposition to Midwest Operating Engineers' motion, which is now unopposed.¹

For the foregoing reasons, as well as those set forth in its opening papers, Midwest Operating Engineers respectfully requests appointment as Lead Plaintiff, approval of its selection of Cohen Milstein as Lead Counsel, and consolidation of the above-captioned actions.

Dated: March 11, 2019

Respectfully submitted,

COHEN MILSTEIN SELLERS
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***Attorneys for Movant Midwest Operating
Engineers Pension Trust Fund and Proposed
Lead Counsel for the Class***

¹ See Notice of Withdrawal of Motion filed by Automotive Industries Pension Trust Fund (Dkt. No. 18); Notice of Non-Opposition of Simin Karimian and Bonnie McDermott to Competing Motions for Consolidation of Related Actions, Appointment of Lead Plaintiff, and Approval of Lead Counsel (Dkt. No. 19); Notice of Non-Opposition of Nicholas Jackson (Dkt. No. 20); and Notice of Withdrawal of Motion by Pension Trust Fund for Operating Engineers for Consolidation, Appointment as Lead Plaintiff, and Approval of Selection of Counsel (Dkt. No. 21). On March 7, 2019, the Court issued minute orders terminating those motions.